

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

IN THE MATTER OF:

Christopher D. Wyman,

Bankruptcy Case No. 12-32264-dof
Honorable Daniel S. Opperman
Chapter 7

Debtor.

**FIRST AND FINAL FEE APPLICATION OF ATTORNEY FOR TRUSTEE,
SAMUEL D. SWEET, PLC, FOR SERVICES RENDERED NOVEMBER 17, 2014
THROUGH OCTOBER 30, 2019, SPECIFICALLY RELATED TO REPRESENTING THE
ESTATE ON CASES PENDING AT THE TIME OF MICHAEL TINDALL DISBARMENT**

A. History of the Case:

Debtors filed a Chapter 7 petition on May 24, 2012, Case No. 12-32264-dof. Samuel D. Sweet, PLC ("Applicant") has acted as legal counsel for Trustee, Samuel D. Sweet, since August 26, 2014.

B. The services rendered by Applicant have been substantial and Applicant believes that an allowance of fees and reimbursement of expenses is appropriate and necessary at this time.

C. Applicant is requesting attorney fees pursuant to 11 U.S.C. § 330 and L.B.R. 2016-1 (E.D.M.).

D. Pursuant to L.B.R. 2016-1 (E.D.M.), Applicant submits the following information:

1. Total Amount of Fees Requested: Applicant is requesting at this time fees for professional services in the amount of \$22,175.00 and reimbursement of expenses in the amount of \$181.00 for a total request of \$22,356.00.

2. Time Period During Which Services Were Rendered: Applicant is seeking compensation for services rendered November 17, 2014 through October 30, 2019.

3. Services Rendered & Benefits Obtained: The following is a general description of the services rendered by Applicant as legal counsel for the Trustee, and the benefits realized by the Estate as a result of Applicant's services.

A. Services: Applicant assisted the Trustee by continuing the representation begun by Michael Tindall upon his disbarment. Applicant resolved all cases begun by Tindall and in particular settled the case with Michelle Pichler and obtained title to the Jones Road property. Applicant from there settled the cases with Diana Gentry by selling said property to her for \$65,000.00. Applicant was forced to act as lawyer in this case as the Trustee could not find a replacement for Tindall upon his disbarment given the problematic history of this case and the fraud on the Court committed by Tindall.

B. Benefits: Applicant's services allowed the estate to receive \$65,940.74 of funds available for creditors in this case.

4. Status of Litigation: None.

5. Current Status of Case: Pending the Trustee's final report. The Trustee has received \$65,940.74 and to date no disbursements have been to any other professionals. The case is expected to close in approximately four months and this requested distribution will not prejudice the rights of any creditors. The Trustee currently has on hand a total of \$31,904.82. As a result of Applicant's efforts, unsecured creditors will receive an unknown distribution in this case.

6. Future Services: None.

7. Unpaid Administrative Expenses: Unpaid administrative expenses are as follows:

Trustee Fees: \$6,547.04

Accountant: \$0.00

Auctioneer: \$0.00

8. Services of More Than One Attorney and Paralegal: There are no such instances in the within Application for which such an award is sought.

9. Prior Applications: This is Applicant's First and Final Fee Application; therefore, Applicant has received no previous fees.

10. The Trustee has been given the opportunity to review this Application and has approved the requested amount.

11. Pursuant to L.B.R. 2016-1 (E.D.M.), Applicant has attached hereto the following

exhibits:

Exhibit 1 - Proposed fee order

Exhibit 2 - Applicant's Affidavit of Disinterestedness / Terms of Retention

Exhibit 3 - Summary of Hours

Exhibit 4 - Itemized time records in chronological order, of each specific service for which an award of compensation is sought. These time records indicate (i) the date each service was rendered; (ii) a description with particularity of the services rendered; (iii) identification of the attorney/paralegal who performed the services; and (iv) the time spent performing the service.

Exhibit 5 - A brief biographical statement of the professional experience of each attorney/paralegal for whom an award of compensation is sought.

Exhibit 6 - An itemized statement of disbursements for which an award of compensation is sought.

E. The total time spent by Applicant during the period covered by this Application has been 88.70 hours, which represents fees of \$22,175.00.

WHEREFORE, Applicant, Samuel D. Sweet, PLC, prays that he is awarded fees and expenses in the amount of \$22,356.00.

Respectfully submitted,

SAMUEL D. SWEET, PLC

/s/ Samuel D. Sweet
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Date served: 10/30/2019